DT-5084 DEC 2 8 2004 DEC 2 8 20

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Ernst Tennstedt et al.

SERIAL NO.: 10/015,001

FILED: February 19, 2002

FOR: Laboratory Tempering Device for Tempering at Different

**Temperatures** 

EXAMINER: Jeffrey R. Snay GROUP: 1623

Mail Stop: Amendments Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

## **INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 CFR sections 1.97 and 1.98, applicant respectfully requests that the documents listed on the attached form PTO-1449, be made of record and considered in connection with the examination of this application. Copies of the listed documents are enclosed. A translation of the foreign language document(s) is not readily available.

The documents submitted herewith were cited in a Search Report (copy enclosed) issued in a German application corresponding to the above-referenced application. In addition to the listed documents the German Patent Office cited U.S. Patents Nos. 5,779,981 and 6,054,263 already of record in this application.

<u>U.S. Patent No. 6,767,512</u> (corresponds to DE 196 46 115 discussed in the preamble of the specification) discloses a temperature-regulating block.

<u>International Publication WO 99/18516</u> discloses control of nucleic acid amplification procedures including PCR.

<u>Prospect of the firm "Eppendorf AG"</u> discloses a tempering "Master cycler Gradient" device for obtaining a gradient function that permits to evaluate, during a single pass, up to twelve (12) different annealing, elongation, and/or denaturing temperatures for a polymerase chemical reaction (PCR-reaction), and which includes a tempering block.

The Commissioner is hereby authorized to charge the fee required under 37 CFR §1.17(p) in the amount of \$180 and any further fees, which may be required, or credit any overpayment to our Deposit Account No. 50-0955.

Respectfully submitted,

David Toren

Reg. No. 19,468

Dated: December 21, 2004 Sidley Austin Brown & Wood 787 Seventh Avenue New York, New York 10019 Tel. (212) 839-7365

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 21, 2004

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